

for or against the proposition: "The constitutional amendment abolishing the office of county surveyor in Jackson County."

Passed by the House on May 10, 1993: Yeas 140, Nays 0, 1 present, not voting; passed by the Senate on May 27, 1993: Yeas 31, Nays 0.

Filed with the Secretary of State, May 29, 1993.

H.J.R. No. 22

A JOINT RESOLUTION

proposing a constitutional amendment to abolish the office of county surveyor in McLennan County.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article XVI, Section 44(e), of the Texas Constitution is amended to read as follows:

(e) The office of County Surveyor in the counties of Denton, Randall, Collin, Dallas, El Paso, *McLennan*, and Henderson is abolished upon the approval of the abolition by a majority of the qualified voters of the respective county voting on the question at an election that the Commissioners Court of the county may call. If the election is called, the Commissioners Court shall order the ballot at the election to be printed to provide for voting for or against the proposition: "Abolishing the office of county surveyor." Each qualified voter of the county is entitled to vote in the election. If the office of County Surveyor is abolished under this subsection, the maps, field notes, and other records in the custody of the County Surveyor are transferred to the County Clerk of the county. After abolition, the Commissioners Court may employ or contract with a qualified person to perform any of the functions that would have been performed by the County Surveyor if the office had not been abolished.

SECTION 2. This proposed amendment shall be submitted to the voters at an election to be held on November 2, 1993. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to abolish the office of county surveyor in McLennan County."

Passed by the House on May 10, 1993: Yeas 139, Nays 0, 1 present, not voting; passed by the Senate on May 27, 1993: Yeas 31, Nays 0.

Filed with the Secretary of State, May 29, 1993.

H.J.R. No. 23

A JOINT RESOLUTION

proposing a constitutional amendment relating to the denial of bail to certain persons charged with certain violent or sexual offenses.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article I, Section 11a, of the Texas Constitution is amended to read as follows:

Sec. 11a. (a) Any person (1) accused of a felony less than capital in this State, who has been theretofore twice convicted of a felony, the second conviction being subsequent to the first, both in point of time of commission of the offense and conviction therefor, (2) accused of a felony less than capital in this State, committed while on bail for a prior felony for which he has been indicted, ~~or~~ (3) accused of a felony less than capital in this State involving the use of a deadly weapon after being convicted of a prior felony, or (4) accused of a violent or sexual offense committed while under the supervision of a criminal justice agency of the State or a political subdivision of the State for a prior felony, after a hearing, and upon

evidence substantially showing the guilt of the accused of the offense in (1) or (3) above, ~~or~~ of the offense committed while on bail in (2) above, ~~or of the offense in (4) above committed while under the supervision of a criminal justice agency of the State or a political subdivision of the State for a prior felony,~~ may be denied bail pending trial, by a district judge in this State, if said order denying bail pending trial is issued within seven calendar days subsequent to the time of incarceration of the accused; provided, however, that if the accused is not accorded a trial upon the accusation under (1) or (3) above, ~~or~~ the accusation and indictment used under (2) above, ~~or the accusation or indictment used under (4) above~~ within sixty (60) days from the time of his incarceration upon the accusation, the order denying bail shall be automatically set aside, unless a continuance is obtained upon the motion or request of the accused; provided, further, that the right of appeal to the Court of Criminal Appeals of this State is expressly accorded the accused for a review of any judgment or order made hereunder, and said appeal shall be given preference by the Court of Criminal Appeals.

(b) *In this section:*

(1) "Violent offense" means:

- (A) *murder;*
- (B) *aggravated assault, if the accused used or exhibited a deadly weapon during the commission of the assault;*
- (C) *aggravated kidnapping; or*
- (D) *aggravated robbery.*

(2) "Sexual offense" means:

- (A) *aggravated sexual assault;*
- (B) *sexual assault; or*
- (C) *indecentcy with a child.*

SECTION 2. This proposed amendment shall be submitted to the voters at an election to be held on November 2, 1993. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment permitting the denial of bail to certain persons charged with certain violent or sexual offenses committed while under the supervision of a criminal justice agency of the state or a political subdivision of the state."

Passed by the House on April 20, 1993: Yeas 126, Nays 16, 1 present, not voting; the House concurred in Senate amendments to H.J.R. No. 23 on May 18, 1993: Yeas 140, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 13, 1993: Yeas 30, Nays 0.

Filed with the Secretary of State May 20, 1993.

H.J.R. No. 37

A JOINT RESOLUTION

proposing a constitutional amendment to provide for the abolition of the office of county surveyor.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article XVI, Section 44, of the Texas Constitution is amended by adding Subsection (h) to read as follows:

(h) *The Commissioners Court of a county may call an election to abolish the office of County Surveyor in the county. The office of County Surveyor in the county is abolished if a majority of the voters of the county voting on the question at that election approve the abolition. If an election is called under this subsection, the Commissioners Court shall order the ballot for the election to be printed to provide for voting for or against the proposition: "Abolishing the office of county surveyor of this county." If the office of County Surveyor is abolished under this subsection, the maps, field notes, and other records in the custody of the County Surveyor are transferred to the county officer or employee designated*